

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.12123 of 2006

Dated: 26-06-2006

Between:

Y. Ramachandra Rao.

..... PETITIONER

AND

The District Collector, Kakinada, and two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.12123 of 2006

ORDER:

The petitioner is resident of Gummileru Village of Alamuru Mandal, East Godavari District. He is allegedly the owner of land admeasuring Acs.2.16 cents in R.S.Nos.30/4, 30/7, 30/8 and 30/9 situated in the said village. He alleges that the third respondent, who is the owner of land admeasuring Acs.2.36 cents in R.S.Nos.31/2, 34/1, 34/2 and 34/3, is converting the agricultural lands/paddy fields into pisi culture/aqua culture without obtaining any permission. Therefore, placing reliance on a judgment of a Division Bench of this Court in **Madireddy Padma**

Rambabu v. District Forest Officer, Kakinada^[1], the petitioner filed the instant writ petition seeking a writ of Mandamus directing the respondents 1 and 2 to take action against the third respondent preventing him from cultivating agricultural lands into fish ponds.

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (General) obtained instructions. The learned counsel for the third respondent- Ms. Jayanthi denies the allegations made by the petitioner. The learned Assistant Government Pleader submits that after filing the writ petition the Mandal Revenue Officer got the land inspected by the Mandal Surveyor and it was found that the third respondent is running a milch cattle forum with 20 Haryana buffalos and he has dug a small tank for the purpose of bathing she buffalos. He further submits that no fishponds are being dug. Therefore, the writ petition is misconceived. If petitioner has any further redressal, he may approach the Mandal Revenue Officer by making a fresh representation. So far as this writ petition is concerned, the same cannot be entertained, especially when the respondents categorically stated that the allegation that the third respondent is converting agricultural lands into fishponds is not correct.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(V.V.S.RAO, J)

26th June, 2006

ghn

^[1] 2002(1) ALD 728 (DB)